

THE SECRETARY OF THE NAVY  
WASHINGTON

RECEIVED

DEC 28 1944

Honorable Spessard L. Holland,  
Governor of Florida,  
Tallahassee, Florida.

COMMUNICATIONS SECTION  
U.S. DEPARTMENT OF THE NAVY  
WASHINGTON, D.C.

DEC 28 1944

Sir:

From time to time during the year 1943 the Navy Department requested that you issue deeds of cession granting exclusive federal jurisdiction in the manner provided by applicable Florida statutes over certain lands within the State which have been acquired by the United States for Naval uses. You have not issued any of these deeds of cession but have referred the Navy Department's several requests to the Attorney General of your State for his advice and recommendation, and it is understood that he has had the matter under consideration for many months.

Cession of jurisdiction is desired with respect to numerous other lands acquired for permanent naval uses, but formal applications for deeds of cession in such cases have been withheld awaiting advice as to the action you would take with respect to applications already before you.

However, because of the urgency of the Naval interests involved it is considered essential that the United States acquire exclusive jurisdiction over all of these areas without further delay. Accordingly, notice is hereby given you that the United States accepts jurisdiction in the manner provided by Sections 6.02, 6.03 and 6.04, Chapter 6, Title II, Revised Statutes of Florida over all of the sites of lands in the State of Florida over which such jurisdiction has not heretofore been obtained and which have been acquired by the United States in fee simple for naval uses; excepting from this acceptance, however, any lands acquired as sites for (a) low cost defense housing, (b) outlying airfields and (c) plant facilities for Navy Department contractors.

This notice of acceptance of jurisdiction is given in conformity with Section 355 Revised Statutes of the United States as amended by the Act of February 1, 1940 (54 Stat., 19), and by the Act of October 9, 1940 (54 Stat., 1083); 40 U.S.C., 255.

Very truly yours,

*James Forrestal*

James Forrestal

2/10-52

D E E D

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the following described parcel of land, within the limits of the County of Santa Rosa, State of Florida, has been acquired by condemnation and is now being held by the United States of America for an access road and railroad spur track for expansion of Naval Intermediate Training Facilities, Naval Air Station, Pensacola, Florida, as contemplated and provided in the Constitution of the United States:

64.44 Acres, more or less, located in Santa Rosa County, Florida. (Railroad spur and access road to Field "X").

All those lands, lying and being situate in Section 6, 7, 18, and 19, Township 2 North, Range 27 West, and in Sections 1, 3, 4, and 12, Township 2 North, Range 28 West, Santa Rosa County, Florida, more particularly described as follows:

PARCEL NO. 22

RAILROAD SPUR TO "X" FIELD. Being more fully described in Sub-parcels B, C, D & F, & E.

Sub-parcel B - 9.7 acres, more or less.

A parcel of land within the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 6 and of the W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 7, Township 2 North, Range 27 West, Santa Rosa County, Florida, described as follows:

Beginning at the southwest corner of said W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 7; thence easterly with the south line thereof 211.9 feet; thence N. 6° 10' W., 3948.4 feet to a point on the north line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 6; thence westerly with said north line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 6, 2.0 feet to the northwest corner thereof; thence southerly with the west line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 6, 1312.8 feet to the southwest corner thereof; thence continue southerly with the west line of said W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 7, 2628.9 feet to the point of beginning, containing 9.7 acres, more or less.

Sub-parcel C. - 1.1 Acres, more or less.

A triangular parcel of land in the northeast corner of E $\frac{1}{2}$  of NE $\frac{1}{4}$ , Section 12, Township 2 North, Range 28 West, Santa Rosa County, Florida, described as follows:

Beginning at the northeast corner of said land; thence westerly with the north boundary line thereof 79.8 feet; thence S 6° 10' E., parallel to the center line of the railroad now staked 1204.1 feet to a point in the east line of said land; thence northerly with said east line 1201.2 feet to the point of beginning, containing 1.1 acres more or less.

Sub-parcels D and F - 21.04 Acres - Total

Sub-parcel D. - 20.8 Acres, more or less.

A strip of land 100 feet wide, being 50 feet on each side of the center line of the railroad now staked through Section 18 and  $W\frac{1}{2}$  of  $SW\frac{1}{4}$  of Section 7, Township 2 North, Range 27 West, being described as follows: Beginning at a point on the south line of said Section 18, S.  $87^{\circ}$  W., 1749.26 feet from the south east corner of said section; thence continue S.  $87^{\circ}$  W., 103.08 feet; thence from a tangent bearing N.  $11^{\circ}$   $35'$  E., along a curve with a radius of 1860.1 feet to the left 965.0 feet to point of change to spiral; thence with an A.R.E.A. Spiral 200 feet; thence N.  $22^{\circ}$   $26'$  W., 1393.2 feet to point of change to a spiral; thence on an A.R.E.A. Spiral to the left 200 feet; thence on a curve to the left of 1860.1 feet radius, 1028.1 feet to point of change to spiral; thence on spiral 200 feet; thence N.  $60^{\circ}$   $06'$  W., 939.2 feet to point of change to spiral; thence on an A.R.E.A. Spiral to right 200 feet; thence on a compound curve to the right beginning with a radius of 1960.1 feet and ending with a radius of 1985.1 feet a distance of 1643.3 feet to point of change to spiral; thence with spiral 200 feet; thence N.  $6^{\circ}$   $10'$  W., 2090.9 feet to a point on the north line of aforesaid  $W\frac{1}{2}$  of  $SW\frac{1}{4}$  of Section 7, 111.5 feet easterly of the northwest corner thereof; thence easterly with said line 100.4 feet; thence S.  $6^{\circ}$   $10'$  E., (and paralleling, at a distance of 100 feet, the courses previously run) 2085.7 feet to point of change to spiral; thence on an A.R.E.A. Spiral to left 200 feet; thence on a compound curve to left beginning with a radius of 1885.1 feet and ending with a radius of 1860.1 feet a distance of 1556.3 feet to point of change to spiral; thence with spiral 200 feet; thence S.  $60^{\circ}$   $06'$  E., 939.2 feet to point of change to spiral; thence on an A.R.E.A. Spiral 200 feet to right; thence on curve with radius of 1960.1 feet to right 1086.0 feet to spiral; thence on spiral 200 feet; thence S.  $22^{\circ}$   $26'$  E., 1393.2 feet to point of spiral; thence on an A.R.E.A. Spiral to right 200 feet; thence on a curve of 1960.1 feet radius to the right 1058.0 feet to point of beginning, containing 20.8 acres, more or less.

Sub-parcel F. - 0.24 Acres, more or less.

A borrow pit in Section 18, Township 2 North, Range 27 West, described as follows: Commencing on the course above described in Sub-parcel D, as bearing N.  $60^{\circ}$   $06'$  W., at the point where it crosses the west right-of-way line of State Road No. 190, 645 feet from the initial point of said course; thence S.  $29^{\circ}$   $54'$  W., 50 feet, thence N.  $60^{\circ}$   $06'$  W., 300 feet; thence N.  $29^{\circ}$   $54'$  E., 50 feet; thence S.  $60^{\circ}$   $06'$  E., 300 feet to point of beginning, containing 0.24 acres, more or less.

Sub-parcel E. - 1.9 Acres, more or less.

A parcel of land within the  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 19, Township 2 North, Range 27 West, in Santa Rosa County, Florida, as follows: Beginning at a point on the north line of said Section 19, S.  $87^{\circ}$  W., 1749.26 feet from the north-east corner of said section; thence with said line S.  $87^{\circ}$  W., 103.08 feet; thence from a tangent bearing S.  $11^{\circ}$   $35'$  W., along a curve with a radius of 1860.1 feet to the right 1135.7 feet to a point of change to spiral;

thence along an A.R.E.A. Spiral 200 feet to a point in the west right-of-way line of the abandoned railroad of Bagdad Land & Lumber Company; thence with said right-of-way line N.  $48^{\circ} 16'$  E., 612.0 feet; thence from a tangent bearing N.  $30^{\circ} 05'$  E., along a curve with a radius of 1960.1 feet to the left and paralleling the curve first described herein 670.6 feet to the point of beginning, containing 1.9 acres, more or less.

PARCEL NO. 24  
ACCESS ROAD

A 100 foot strip of land running through and located on the properties of Mrs. R. Hemmelhack and R. C. Connor for a distance of 6593.98 feet, containing 15.1 acres, more or less, being in Sections 3 and 4, Township 2 North, Range 28 west, Santa Rosa County, Florida, and being more fully described in Sub-parcels A. and B.

Sub-parcel A. - 12.5 Acres, more or less.

Being a strip of land 100' wide, lying 50 feet on either side of the center line which is described as follows: Beginning at a point on the east line of Section 3, Township 2 North, Range 28 West, Santa Rosa County, Florida, 1370.74 feet northerly along said east line from the southeast corner of said Section 3 running thence S.  $81^{\circ} 46'$  W., (Magnetic), 5,462.48 feet to the west line of said Section 3, 869.7 feet distant northerly along said west line from the southwest corner of said Section 3, and containing 12.5 acres, more or less.

Sub-parcel B. - 2.6 Acres, more or less.

Being a strip of land 100 feet wide lying 50 feet on either side of the following described center line; Beginning at a point on the west line of Section 3, Township 2 North, Range 28 West, Santa Rosa County, Florida, 869.7 feet northerly along said west line from the southwest corner of said Section 3, running thence through Section 4, (S.  $81^{\circ} 46'$  W., magnetic), a distance of 1131.5 feet, to the easterly line of the right-of-way of State Highway No. 37 and containing 2.6 acres, more or less.

PARCEL NO. 25  
RAILROAD SPUR

Sub-parcel A. - 15.6 Acres, more or less

A strip of land in the  $E\frac{1}{2}$  of  $SE\frac{1}{4}$ ,  $S\frac{1}{2}$  of  $NE\frac{1}{4}$  and  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ , Section 1, Township 2 North, Range 28 West, Santa Rosa County, Florida, described as follows: Beginning at the southeast corner of said  $E\frac{1}{2}$  of  $SE\frac{1}{4}$ , thence westerly with south line of said  $E\frac{1}{2}$  of  $SE\frac{1}{4}$  79.8 feet, thence N.  $60^{\circ} 10'$  W., 2014.3 feet to a point of change to spiral; thence with an A.R.E.A. Spiral to the left 200 feet to a point of change to a curve; thence with curve of a radius of 1785.1 feet a distance of 2497.4 feet to point of change of curve to spiral; thence with a spiral 200 feet; thence S.  $87^{\circ} 30'$  W., 1928.5 feet to the west line of  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ ; thence northerly with said west line 150 feet to the north line of said  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ ; thence (Paralleling and 150 feet distant from the courses last run) N.  $87^{\circ} 30'$  E., with

north line of said SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of S $\frac{1}{2}$  of NE $\frac{1}{4}$ , 1928.5 feet to point of change to spiral; thence with the spiral to right 200 feet to point of change to curve; thence with curve to the right with radius of 1935.1 feet a distance of 2707.5 feet to point of change to spiral; thence to the right with an A.R.E.A. Spiral 200 feet; thence S. 6° 10' E., 651.5 feet to the east line of said Section 1; thence southerly with said section line 1350.8 feet to point of beginning, containing 15.6 acres, more or less.

AND WHEREAS, application in writing has been made by the United States of America to me, Millard F. Caldwell, as Governor of the State of Florida, to cede to the said United States of America jurisdiction over said land;

NOW, THEREFORE, I, MILLARD F. CALDWELL, as Governor of the State of Florida, in the name and by the authority of said State and pursuant to the statutes of said State in such cases made and provided, do hereby cede to the United States of America, exclusive jurisdiction over said land so acquired.

PROVIDED, HOWEVER, that said cession of jurisdiction is made upon the express condition that the said State of Florida retains and shall have concurrent jurisdiction with the United States in and over said land and every portion thereof so far that all process, civil or criminal, issuing under authority of the State of Florida, or any of the courts or judicial officers thereof, may be executed by the proper officers thereof upon any person or persons amenable to the same, within the limits and extent of said land in like manner and like effect as if said statutes of the State of Florida had never been passed and this instrument had never been executed; saving, however, to the United States security to their property within said limits and extent, and exemption of the same from any taxation under laws of the State while the same shall continue to be owned and occupied by the United States for the purposes above expressed

and not otherwise, and provided further, that this cession is made and shall in all things be subject to the terms and effect of the statutes of the State of Florida in such cases made and provided the same as if such statutes were herein fully set forth.



ATTEST:

IN TESTIMONY WHEREOF, I, MILLARD F. CALDWELL, as Governor of the State of Florida, have hereunto set my hand and caused this instrument to be countersigned by the Secretary of State and sealed with the Great Seal of the State of Florida, at the Capitol, at Tallahassee, this 6<sup>th</sup> day of \_\_\_\_\_, A. D. 1945.

*R. A. Gray*  
Secretary of State of  
the State of Florida.

As Governor of the State of Florida.

STATE OF FLORIDA

OFFICE OF SECRETARY OF STATE

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) SS  
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I, *R. A. Gray*, Secretary of State of the State of Florida, do hereby certify that the foregoing Deed of Cession has been duly recorded in this office in Deed Book *B*, pages *145-46-47-48*.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capitol, this the *16<sup>th</sup>* day of *April*, A. D., 1945.

*R. A. Gray*  
Secretary of State.

IN THE  
**Supreme Court  
of Florida**

\_\_\_\_\_TERM

A. D. 19\_\_\_\_

Plaintiff in Error

VS.

**The State of Florida**  
Defendant in Error

BRIEF OF

**ATTORNEY - GENERAL**

C10-2-Pe-22